

REMARKS

Applicants courteously solicit favorable reconsideration followed by a notice of allowance. Applicants retained claim 1 and added new claims 14-25 based on the original specification at pages 20-21.

Applicants acknowledge the telephone interview with the Examiner that was conducted on or about February 23, 2010. The "Ito" reference (US 2005/0163544) was discussed inasmuch as Applicants' effective filing date antedates the prior art effective date of the Ito published application. Per the instruction in MPEP Section 706.02(f)(1), Ito is not effective prior art as of its PCT filing date. It was agreed that Ito is not prior art against the present application. Ito is not effective prior art as of any alleged PCT date. Ito's PCT application not published in English. Ito's U.S. filing date is *after* Applicants' PCT filing date.

Claim 1 stands rejected under 35 U.S.C. 103(a) over Ito and Imai.

Applicants respectfully request the Examiner to withdraw the Ito reference and withdraw the prior art rejection of claim 1. Applicants do not acquiesce in the rejection but respectfully submit that since Ito is not prior art, the rejection should be withdrawn.

Applicants have addressed all issues raised in the Office Action and courteously submit their claim 1 and dependent claims 14-25 are in condition to receive a notice of allowance. Applicants courteously solicit such Notice.

To the extent necessary during prosecution, Applicants hereby request any required extension of time not otherwise requested and hereby authorize the Commissioner to charge any required fee not intentionally omitted, including application processing, extension, extra claims, statutory disclaimer, issue, and publication fees, to Deposit Account No. 06-1135 with respect to Order No. 7398-84282.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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